



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR § 1.114
TRANSMITTAL

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Docket No.: 19603/3296 (CRF D-2098B)

Examiner: G. Bugaisky

Art Unit: 1653

Cnfrm. No.: 3745

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Commissioner for Patents
Washington, D.C. 20231
BOX: RCE

TECHNOLOGY CENTER R3700

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of prior application number 09/596,784, filed on June 19, 2000, of Adam J. Bogdanove, Jihyun Francis Kim, Zhong-Min Wei, and Steven V. Beer entitled **HYPERSENSITIVE RESPONSE ELICITOR FROM *ERWINIA AMYLOVORA*, ITS USE, AND ENCODING GENE.**

This Request is accompanied by submission(s) pursuant to 37 CFR § 1.114(b) and other materials as follows:

- ☒ Enter the amendment previously filed on **April 4, 2003** under 37 CFR 1.116 in the prior nonprovisional application.
- ☐ An amendment (____ pages) is enclosed.
- ☐ A **new** power of attorney is enclosed herewith.
- ☐ Information Disclosure Statement (IDS) with PTO-1449 form (in duplicate) and copy of the reference(s) are enclosed herewith.
- The filing fee is calculated on the basis of the claims existing in the prior application as amended above:

	(Col. 1)		(Col. 2)	(Col. 3)	a) SMALL ENTITY \$375	b) LARGE ENTITY \$750
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'L FEE
BASIC FEE	XXXXXXXX	XXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXX	\$375
TOTAL	14	MINUS	20	0	a) \$ 9 = b) \$18 =	\$ 0
INDEP	1	MINUS	3	0	a) \$42= b) \$84	\$0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					See fee	\$0
<input type="checkbox"/> Extension of Time Fee (____ Months)					Schedule	
					TOTAL	\$375

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375.00 OP


6. ☒ A check in the amount of \$375.00 is enclosed to cover the above filing fee.
7. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
8. ☒ The Commissioner is hereby authorized to charge fees which may be required, or credit overpayment to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.
9. Small entity status:
- ☒ Applicant claims small entity status. (See 37 CFR 1.27.)
- ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ is no longer claimed.
10. ☒ A self-addressed, prepaid postcard for acknowledging receipt.
11. Other:

Address all future communications to (may only be completed by Applicant, or attorney or agent of record):

Michael L. Goldman
NIXON PEABODY LLP
Clinton Square
P.O. Box 31051
Rochester, New York 14603-1051

Respectfully submitted,

Date: April 22, 2003


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Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office P.O. BOX 2327 Arlington, VA 22202, on the date below.	
Date <u>4/22/03</u>	<u>Wendy L. Barry</u> Wendy L. Barry